



# Telecommunications Law Professionals PLLC

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December 21, 2011

## BY ELECTRONIC COMMENT FILING SYSTEM

Ms. Marlene H. Dortch  
Secretary  
Federal Communications Commission  
445 12<sup>th</sup> Street, SW  
Washington, D.C. 20554

Re: The Proposed Extension of Part 4 of the Commission's Rules Regarding Outage Reporting to Interconnected Voice Over Internet Protocol Service Providers and Broadband Internet Service Providers, PS Docket No. 11-82 – Ex Parte Communication

Dear Ms. Dortch:

On December 20, 2011, Mark A. Stachiw, Vice Chairman, Secretary & General Counsel of MetroPCS Communications, Inc. ("MetroPCS") (via teleconference), along with Carl W. Northrop and Michael Lazarus of Telecommunications Law Professionals PLLC ("TLP"), met with Josh Gottheimer, Senior Counsel to Chairman Julius Genachowski and Jeffrey Goldthorp, Associate Chief in the Office of the Bureau Chief of the Public Safety and Homeland Security Bureau, in connection with the above-referenced proceeding. In addition, on December 21, 2011, Michael Lazarus participated in a follow-up conference call with Jeffrey Goldthorp, Vernon Mosley and Gregory Intoccia to further discuss the above-referenced proceeding.

During the meetings, MetroPCS discussed the issues with applying outage reporting requirements to broadband wireless services, including Voice over Long-Term Evolution ("VoLTE"). MetroPCS outlined the differences between interconnected VoIP services, such as the services provided by wireline VoIP providers, and VoLTE services, soon to be provided over wireless networks. MetroPCS explained the difficulties surrounding the implementation of any outage reporting requirements for VoLTE services particularly relating to calls completed using networks other than those provided by the wireless provider, such as WiFi. MetroPCS further noted that VoLTE currently is in its infancy, and that many carriers, including MetroPCS, are testing this new technology in the hopes of rolling it out in the near future. Applying additional regulatory conditions and requirements to this nascent service would only increase the obstacles in implementing this efficient, consumer-friendly service, and potentially delay its roll-out. For example, if the Commission imposed a requirement that was not currently contemplated in the VoLTE standards, and such a requirement was necessary in order to provide outage reporting, a carrier that

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otherwise would be able to deploy VoLTE in the short term might be delayed. This is of particular concern to MetroPCS as it has limited spectrum resources and is in the process of developing and deploying VoLTE to balance its network capacity on CDMA and 4G LTE. If any requirements delay the implementation of VoLTE by MetroPCS, it could have an effect on MetroPCS' ability to meet the demands of its customers and could limit its ability to effectively compete. MetroPCS also expressed its view that the Commission should consider revising its current outage reporting rules, due to the difficulty associated with provided the Commission relevant information in extremely tight timeframes.

Any questions regarding this notice should be directed to the undersigned.

Sincerely,

/s/ Michael Lazarus

Michael Lazarus

of TELECOMMUNICATIONS LAW PROFESSIONALS PLLC

cc (via email): Josh Gottheimer  
Jeffrey Goldthorp  
Vernon Mosley  
Gregory Intoccia